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ALLIANZ ASSET MANAGEMENT OF
AMERICA L.P., ALLIANZ ASSET
MANAGEMENT OF AMERICA LLC and
ALLIANZ GLOBAL INVESTORS U.S. LLC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SEUNG MINN,

Plaintiff,

v.

ALLIANZ ASSET MANAGEMENT OF
AMERICA L.P., a Delaware limited
partnership, ALLIANZ ASSET
MANAGEMENT OF AMERICA LLC, a
Delaware limited liability company,
ALLIANZ GLOBAL INVESTORS U.S.
LLC, a Delaware limited liability company,
and DOES 1-25,

Defendants.

Case No. 4:14-cv-02220-PJH

**JOINT STIPULATION REGARDING
REMAND AND ATTORNEYS' FEES;
[PROPOSED] ORDER**

Date: July 9, 2014
Time: 9:00 a.m.
Courtroom: 3

1 Plaintiff SEUNG MINN and Defendants ALLIANZ ASSET MANAGEMENT OF
 2 AMERICA L.P., ALLIANZ ASSET MANAGEMENT OF AMERICA LLC, and ALLIANZ
 3 GLOBAL INVESTORS U.S. LLC (collectively, the “Parties”), hereby agree and stipulate through
 4 their respective counsel to the following:

5 WHEREAS, Plaintiff filed suit in San Francisco Superior Court, alleging claims of breach of
 6 contract, failure to pay earned wages, waiting time penalties, and conversion on or about April 9,
 7 2014;

8 WHEREAS, Defendants removed the case on May 14, 2014;

9 WHEREAS, Defendants filed a motion to dismiss to Plaintiff’s Complaint or, in the
 10 alternative, to compel arbitration on May 21, 2014;

11 WHEREAS, Plaintiff filed a motion to remand and for attorneys’ fees on June 4, 2014;

12 WHEREAS, the Parties have fully briefed these motions and there is a hearing set before this
 13 Court for July 9, 2014 at 9:00 a.m.;

14 NOW, THEREFORE, the Parties stipulate and respectfully request that this Court remand
 15 this case to state court, while retaining jurisdiction over Plaintiff’s Motion for Attorneys’ Fees.

16 The Parties agree that Plaintiff’s pending Motion for Attorneys’ Fees pursuant to 28 U.S.C. §
 17 1447(c) should be ruled upon by this Court at the scheduled July 9, 2014 hearing.

18 The Parties agree that this stipulation does not waive any rights as to Plaintiff’s substantive
 19 claims, and that those claims will be decided in state court. Accordingly, the Parties also agree that
 20 the law of the case shall be that no Federal Jurisdiction exists as to any of Plaintiff’s claims.

21 The Parties further agree that Defendants’ Motion to Dismiss or, in the Alternative, to
 22 Compel Arbitration is moot due to a lack of Federal Jurisdiction.

1 SO STIPULATED.

2
3 Date: July 8, 2014

/s/ Ryan L. Hicks

4 RICHARD A. HOYER
5 RYAN L. HICKS
6 HOYER & ASSOCIATES
7 Attorneys for Plaintiff
8 SEUNG MINN

9 Date: July 8, 2014

/s/ Andrew M. Spurchase


10 GARRY G. MATHIASON
11 ANDREW M. SPURCHISE
12 LITTLER MENDELSON, P.C.
13 Attorneys for Defendants
14 ALLIANZ ASSET MANAGEMENT OF
15 AMERICA L.P., ALLIANZ ASSET
16 MANAGEMENT OF AMERICA LLC and
17 ALLIANZ GLOBAL INVESTORS U.S. LLC
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[PROPOSED] ORDER

Upon consideration of the parties' Joint Stipulation to Remand Case to State Court, IT IS
HEREBY ORDERED that:

1. This case is remanded to state court.
2. This Court shall retain jurisdiction over Plaintiff's Motion for Attorneys' Fees, which ^{is} ~~will be~~
^{separate order.}
resolved by ~~the Court at the scheduled July 9, 2014 hearing.~~
3. Plaintiff has not waived any rights as to his substantive claims.
4. The law of the case going forward is that there is no Federal Jurisdiction over any of
Plaintiff's claims.
5. Defendants' motion to dismiss or, in the alternative, to compel arbitration is moot due to a
lack of Federal Jurisdiction.

Dated: 7/8/14


The Honorable Phyllis J. Hamilton

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